

It was alleged to be misbranded (1) in that the statements, "Sani+Cross First Aid Treated Strips for minor Cuts, wounds and abrasions," "Directions: Wash wound with antiseptic. Remove crinoline and apply gauze pad to wound," were false and misleading since they represented and suggested that the article was a safe, sanitary and appropriate bandage for first-aid use in minor cuts, wounds, and abrasions, whereas it was not a safe and sanitary or appropriate bandage for such use; (2) in that the designation "Sani+Cross" appearing in the labeling was false and misleading since it created the impression that the article constituted a sterile and sanitary dressing, whereas it did not; and (3) in that it was in package form and its label failed to bear a statement of the quantity of the contents.

On March 10, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

977. Adulteration and misbranding of first-aid dressings. U. S. v. 183,464 Packages of First-Aid Dressings. Consent decree of condemnation. Product ordered released under bond to be brought into compliance with the law. (F. D. C. No. 8903. Sample Nos. 3416-F, 3451-F.)

On November 27, 1942, the United States attorney for the District of Kansas filed a libel against 183,464 packages of first-aid dressings at Kansas City, Kans., alleging that the article had been shipped on or about October 3, 1942, in interstate commerce, by Convenience, Inc., Greenville, S. C.; and charging that the article was adulterated and misbranded. The article was labeled in part: "Small First-Aid Dressing U. S. Army Carlisle Model Sterilized."

The article was alleged to be adulterated in that its purity and quality fell below that which it purported and was represented to possess, namely, "Sterilized."

It was alleged to be misbranded in that the following statements appearing on its label, "Sterilized * * * Red Color Indicates Back of Dressing. Put Other Side Next to Wound," were false and misleading since the statements represented and suggested that the article was sterile, whereas it was not sterile but was contaminated with aerobic and facultative anaerobic spore-bearing bacilli.

On November 28, 1942, Convenience, Inc., claimant, having consented to the entry of the decree, judgment of condemnation was entered and the product was ordered released under bond to be destroyed or brought into compliance with the law under the supervision of the Food and Drug Administration.

978. Adulteration and misbranding of fractionally distilled water. U. S. v. 17¹⁹²⁵ Packages of Fractionally Distilled Water. Default decree of condemnation and destruction. (F. D. C. No. 8395. Sample No. 29413-F.)

On September 22, 1942, the United States attorney for the Southern District of Georgia filed a libel against the above-described product at Savannah, Ga., alleging that the article had been shipped on or about August 3, 1942, from Berkeley, Calif., by the Cutter Laboratories; and charging that it was adulterated and misbranded. The article was labeled in part: "Fractionally Distilled Water 50 c. c. A—4163 Sterile, Pyrogen-free, Safety Tested."

The article was alleged to be adulterated in that it purported to be and was represented as a drug, "Water for Injection," the name of which is recognized in the United States Pharmacopoeia, an official compendium, and its quality and purity fell below the standard set forth therein since it was not free from pyrogens.

It was alleged to be misbranded in that the statement "Pyrogen-Free, Safety Tested," appearing on its label, was false and misleading since it contained pyrogens and was not safe for injection.

On October 26, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

979. Adulteration of carbon tetrachloride. U. S. v. 2,736 Bottles of Carbon Tetrachloride. Decree of condemnation and destruction. (F. D. C. No. 9266. Sample No. 37441-F.)

On January 30, 1943, the United States attorney for the Eastern District of Virginia filed a libel against 2,733 bottles of carbon tetrachloride at Richmond, Va., alleging that the article had been shipped on or about December 22, 1942, from St. Louis, Mo., by National Package Drugs, Inc.; and charging that it was adulterated.

The article was alleged to be adulterated in that it purported to be and was represented as a drug, the name of which is recognized in the United States Pharmacopoeia, an official compendium, but its quality and purity fell below the

standard set forth therein since this compendium establishes a standard for the permissible amount of carbonizable substances in carbon tetrachloride and provides that the residue remaining after evaporation of the drug is odorless, whereas the article contained more carbonizable substances than permitted by the United States Pharmacopoeia, and the residue remaining after evaporation had an odor resembling that of paint.

On April 9, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

980. Adulteration of ground white pine bark. U. S. v. 5 Bags of Ground White Pine Bark. Consent decree of condemnation and destruction. (F. D. C. No. 8410. Sample No. 17029-F.)

On September 24, 1942, the United States attorney for the District of New Jersey filed a libel against 5 bags, each containing 200 pounds, of ground white pine bark at Jersey City, N. J., alleging that the article had been shipped on or about March 6, 1942, from Asheville, N. C., by S. B. Penick & Co.; and charging that it was adulterated.

The article was alleged to be adulterated in that it purported to be and was represented as a drug, the name of which is recognized in the National Formulary, an official compendium, and its purity fell below the standard set forth therein since it was contaminated with fragments of insects and quantities of such foreign matter as feather barbs, whole larvae, rodent hairs, and rodent excreta pellets, whereas the formulary provides that vegetable drugs are to be as free as practicable from insects or other live animal matter and other excretion.

On January 18, 1943, the claimant having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS*

HUMAN USE

981. Misbranding of R & R Ultra Violet Ray and Radiation Machine. U. S. v. August H. Riess (Lawndale Laboratories). Plea of not guilty. Tried to the court. Judgment of guilty. Fine, \$250. (F. D. C. No. 8750. Sample No. 1001-F.)

On January 16, 1943, the United States attorney for the Southern District of California filed an information against August H. Riess, trading as Lawndale Laboratories, Lawndale, Calif., alleging shipment on or about June 29, 1942, from the State of California into the State of Michigan of one of the above-named devices which was misbranded.

Examination of this product showed that it was essentially a high voltage mercury vapor discharge tube. A spectrographic examination indicated that the gaseous discharge was in an ultraviolet transmitting tube, and that the character of the radiations from the discharge was primarily of the spectrum of mercury vapor. The intensity of ultraviolet light emitted was relatively of a weak order of magnitude and was observed to be some 50 times weaker than an ultraviolet lamp such as might customarily be used in normal routine of ultraviolet therapy.

The article was alleged to be misbranded in that the statements appearing in its labeling which represented and suggested that it would be efficacious in the cure, mitigation, treatment, or prevention of arthritis, acne, asthma, bronchitis, hay fever, gout, dropsy, constipation, indigestion, jaundice, cold hands and feet, anemia, carbuncles, boils, goiter, deafness, headache and eye trouble, lumbago, mumps, pleurisy, measles, low blood pressure, liver disease, hardening of the liver, neuritis, rheumatism, high blood pressure, nervousness, paralysis, palsy, locomotor ataxia, erysipelas, neuralgia, menopause, sprains, stiff neck, quinsy, stiff muscles, sinus disease, catarrh, varicose veins, psoriasis, fatigue, exhaustion, and female trouble; would be efficacious in treating affections of the prostate, thyroid glands, kidneys, bladder, heart, nerves, throat and tonsils, and disturbances of the sacro-iliac joint; would be efficacious to improve the circulation and bring about internal cellular massage; would build up the red corpuscles, improve the impoverished blood stream, increase glandular activity, and act as a natural tonic to the entire body; would stimulate increased activity in the glands creating the digestive juices; would produce an increase of the rapidity of the chemical changes from which life results; would relieve congestion in a natural manner

*See also Nos. 951, 954-958, 961-978.